

2. *The remainder of the action is dismissed;*
3. *The European Commission shall bear its own costs and shall pay those incurred by Ms Di Prospero.*

⁽¹⁾ OJ C 138, 12.5.2012, p. 32.

**Judgment of the Civil Service Tribunal (Third Chamber) of
26 June 2013 — Achab v EESC**

(Case F-21/12) ⁽¹⁾

(Civil Service — Officials — Remuneration — Expatriation allowance — Condition laid down in Article 4(1)(a) and (b) of Annex VII to the Staff Regulations — Recovery of sums unduly paid)

(2013/C 252/79)

Language of the case: French

Parties

Applicant: Mohammed Achab (Brussels, Belgium) (represented by: N. Lhoest, lawyer)

Defendant: European Economic and Social Committee (EESC) (represented by: M. Arsène and G. Boudot, acting as Agents)

Re:

Application for annulment of the decision withdrawing the award of expatriation allowance to the applicant and seeking retroactively to recover that allowance.

Operative part of the judgment

The Tribunal:

1. *Annuls the decision of the European Economic and Social Committee of 9 June 2011 in so far as it orders the recovery of the expatriation allowance paid to Mr Achab from 1 July 2010;*
2. *Dismisses the remainder of the action;*
3. *Orders the European Economic and Social Committee to bear its own costs and to pay half of the costs incurred by Mr Achab;*
4. *Orders Mr Achab to bear half of his own costs.*

⁽¹⁾ OJ C 133, 5.5.2012, p. 30.

**Judgment of the Civil Service Tribunal (Third Chamber) of
19 June 2013 — CF v EASA**

(Case F-40/12) ⁽¹⁾

(Civil service — Former member of the temporary staff — Fixed-term contract — Dismissal during sick leave — Article 16 of the CEOS — Article 48(b) of the CEOS — Psychological harassment)

(2013/C 252/80)

Language of the case: French

Parties

Applicant: CF (Bierges, Belgium) (represented by: A. Schwend, lawyer)

Defendant: European Aviation Safety Agency (represented by: F. Manuhutu, Agent and D. Waelbroeck and A. Duron, lawyers)

Re:

Application to annul the decision to dismiss the applicant and application for compensation for damage claimed to be suffered because of that dismissal and alleged harassment.

Operative part of the judgment

The Tribunal:

1. *Annuls the decision of 24 May 2011 whereby the authority empowered to conclude contracts of employment for the European Aviation Safety Agency terminated CF's contract as a member of the temporary staff;*
2. *Orders the European Aviation Safety Agency to pay CF the sum of EUR 88 189,76 by way of compensation for her non-material damage;*
3. *Dismisses the action as to the remainder;*
4. *Orders the European Aviation Safety Agency to bear its own costs and to pay three quarters of the costs incurred by CF;*
5. *Orders CF to bear one quarter of its own costs.*

⁽¹⁾ OJ C 184, 23.6.2012, p.24